

REMARKS/ARGUMENTS

Claims 24-29, 32 and 33 are pending in the present application. Claims 24, 26 and 27 have been amended to expedite prosecution by more clearly point out that quantified data for both renal perfusion and renal stenosis grade are generated in one single examination. Basis for this claim amendment can be found in the last section on page 4 to the first section of page 5 and the fourth section of page 7 to the last section of page 9. The following remarks are believed to be fully responsive to the Office Action.

35 USC § 112 Rejection

Claims 24-29, 32, and 33 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the invention. Accordingly, Applicants have amended claim 24 to remove any ambiguity by allowing both visualisation and gradation of renal artery stenosis and quantification of renal perfusion as a result of the aforementioned steps in claim 24. Since claims 25-29, 32, and 33 are dependent on claim 24 then they stand or fall on claim 24. Accordingly, since claim 24 is now believed to overcome the 35 USC § 112, second paragraph, rejection then claims 25-29, 32, and 33 are allowable as well.

Accordingly, Applicants respectfully request that the Examiner withdrawal the rejections for claims 24-29 and 32-33 under 35 U.S.C. §112, second paragraph, and direct that these claims be allowed.

35 USC § 103 (a) Rejection

Claims 24 and 32-33 stand rejected under 35 USC § 103(a) as being unpatentable over Mistretta et al. ("Mistretta") in view of Stark et al. ("Stark") alone or in further view of Schurfeld et al. ("Schurfeld") or Lerman et al. ("Lerman").

In the current Office Action dated September 18, 2009, the Examiner holds that the MR data obtained by Stark which is indicative of renal stenosis grade is inherently also indicative of renal perfusion. None of the prior art references disclose, teach, or suggest quantification of both perfusion and stenosis grade in a single examination. Inherently as used by the Examiner here is based on the Examiner's own subjective interpretation.

Applicants respectfully point out that renoparenchymal and renovascular diseases can co-exist and it is important to determine the extent to which a renal artery stenosis is contributing to the overall malfunctioning of the kidney, i.e. to determine the hemodynamic and functional significance of the stenosis. The present invention describes a method of how to quantify both the morphological degree of renal artery stenosis and the renal parenchymal

perfusion in a single MR examination if a blood pool contrast agent is used, i.e. a contrast agent that remains in the intravascular space during the time course of the examination.

Additionally, Applicants have amended claim 24 to expedite prosecution by more clearly pointing out that quantified data for both renal perfusion and renal stenosis grade are provided in one single examination.

Claims 25-27 are rejected under stand rejected under 35 USC § 103(a) as being unpatentable over Mistretta in view of Stark alone or further in view of Schurfeld or Lerman in view of Berg. Claims 26 and 27 have been amended. Additionally, since claims 25-27 only introduce further limitations to the present invention, claims 25-27 will stand or fall based on independent claim 24.

Claim 28 is rejected under stand rejected under 35 USC § 103(a) as being unpatentable over Mistretta in view of Stark alone or further in view of Schurfeld or Lerman and in further view of Fischer. Since claim 28 only introduces further limitations to the present invention, claim 28 will stand or fall based on independent claim 24.

Claim 29 is rejected under stand rejected under 35 USC § 103(a) as being unpatentable over Mistretta in view of Stark alone or further in view of Schurfeld or Lerman and in further view of McMurray. Since claim 29 only introduces further limitations to the present invention, claim 28 will stand or fall based on independent claim 24.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejections for claims 24-29 and 32-33 under 35 U.S.C. §103(a) and direct that these claims be allowed.

CONCLUSION

Upon entry of this Amendment, claims 24-29 and 32-33 remain pending. Applicants submit that all outstanding issues have been addressed, and that claims 24-29 and 32-33 are in condition for allowance, which action is earnestly solicited.

Should any other matters require attention prior to allowance of the application, it is requested that the Examiner contact the undersigned.

Respectfully submitted,

/Craig M. Bohlken/
Craig M. Bohlken
Reg. No. 52,628

General Electric, Inc.
Healthcare Division
101 Carnegie Center
Princeton, NJ 08540
Phone (609) 514-6530

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